

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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JIHAD A. HACHEM,

Plaintiff,

v.

GENERAL ELECTRIC COMPANY,
JEFFREY R. IMMELT, JEFFREY S.
BORNSTEIN, JOHN L. FLANNERY, JAMIE
MILLER, AND KEITH S. SHERIN,

Defendants.

Case No. 1:17-cv-08457-JMF

Hon. Jesse M. Furman

**ORDER GRANTING THE MOTION OF SJUNDE AP-FONDEN FOR
APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF ITS
SELECTION OF COUNSEL**

By Memorandum Opinion and Order entered on April 12, 2018, the Court vacated its prior appointment of Lead Plaintiff in this matter and set a deadline of May 4, 2018, for any new motions for appointment as Lead Plaintiff. Five motions were filed by the deadline (Docket Nos. 87, 90, 93, 96, and 98), one of which was later withdrawn. (Docket Nos. 127 and 132). The Court held a conference with respect to the remaining four motions on May 23, 2018.

Having considered the remaining motions for appointment as Lead Plaintiff, including the Motion of Sjunde AP-Fonden (“AP7”) for Appointment as Lead Plaintiff and Approval of Its Selection of Counsel (the “AP7 Motion”), and for reasons to be stated in a forthcoming opinion,

IT IS HEREBY ORDERED THAT:

1. The AP7 Motion is granted.
2. Pursuant to 15 U.S.C. § 78u-4(a)(3)(B), AP7 is appointed to serve as Lead Plaintiff in the above-captioned consolidated action.
3. Pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(v), AP7’s selection of Kessler Topaz Meltzer & Check, LLP (“Kessler Topaz”) as Lead Counsel for the class is approved. Lead Counsel shall have the authority to speak for all plaintiffs and class members in all matters regarding the litigation, including, but not limited to, pre-trial proceedings, motion practice, trial, and settlement. Additionally, Lead Counsel shall have the following responsibilities:

- (a) to brief and argue motions;
- (b) to initiate and conduct discovery, including, but not limited to, coordination of discovery with Defendants’ counsel, and the preparation of written interrogatories, requests for admissions, and requests for production of documents;
- (c) to direct and coordinate the examination of witnesses in depositions;
- (d) to act as spokesperson at pretrial conferences;

- (e) to initiate and conduct any settlement negotiations with Defendants' counsel;
- (f) to consult with and employ experts; and
- (g) to perform such other duties as may be expressly authorized by further order of this Court.

4. Arkansas Teachers Retirement System and Labaton Sucharow LLP — which previously served as Lead Plaintiff and Lead Counsel, respectively — shall provide assistance to AP7 and Kessler Topaz as needed to ensure a smooth transition of counsel.

5. Unless and until the Court orders otherwise, AP7 is granted forty-five days from the date of this Order to file a Third Amended Complaint ("TAC"); Defendants shall file any motion to dismiss within forty-five days of the TAC being filed; any opposition to such a motion shall be filed within thirty days; and any reply shall be filed within ten days of the opposition.

6. This Order shall apply to the above-captioned consolidated action and to each case that relates to the same subject matter that is subsequently filed in this District or is transferred to this District, and is consolidated with the above-captioned action. Counsel shall promptly call to the attention of the Court the filing or transfer of any case that may properly be consolidated with the above-captioned action.

7. The Clerk of Court is directed to terminate Docket Nos. 87, 90, 93, and 96.

DATED: May 29, 2018
New York, New York



JESSE M. FURMAN
United States District Judge